

**UNITED STATES DEPARTMENT OF AGRICULTURE**  
**BEFORE THE SECRETARY OF AGRICULTURE**

In re:	)	AMAA Docket No. 02- 0001
	)	
TUT BROTHERS & SONS, INC.,	)	
	)	
Respondent	)	<b>Order Dismissing Case</b>

Complainant, the Administrator of the Agricultural Marketing Service, moved to dismiss the complaint without prejudice. The Motion states that "the attorney for Respondent does not oppose this motion." I have decided to grant Complainant's motion, subject to the following limitations.

Either party may request that the case be restored to the active docket, so long as such request is filed within one (1) year from the date of this dismissal. If no such request is filed, without further action or notice the dismissal will become final and with prejudice. Accordingly, this case is **DISMISSED**.

Copies of this Order shall be served by the Hearing Clerk upon each of the parties.

Done at Washington, D.C.  
this 7 day of October, 2003

s\ Jill S. Clifton

Jill S. Clifton  
Administrative Law Judge

On file with the  
Hearing Clerk  
U.S. Department of Agriculture  
1400 Independence Avenue, SW  
Room 1081, South Building  
Washington, D.C. 20250-9200  
202-720-4443

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